

ORDER TO ADOPT

Title 13, Division 1, Chapter 1
Article 3.0 Vehicle Registration and Titling
Section 152.00 and
Article 3.2, Registration of Vessels
Section 190.03

Article 3.0 Vehicle Registration and Titling

§ 152.00. Motor Vehicle Bond Requirements.

(a) A motor vehicle owner applying for a California certificate of title without the required supporting evidence of ownership may submit a bond as authorized under Vehicle Code section 4157. The bond shall be executed by an admitted surety insurer on a Motor Vehicle Ownership Surety Bond, form REG 5057 (REV. 12/2004), which is hereby incorporated by reference. The bond shall be subject to chapter 2 (commencing with Section 995.010), title 14, of part 2 of the Code of Civil Procedure.

(b) The penal sum of the bond shall be in the amount of the fair market value of the motor vehicle.

(1) The fair market value shall be determined by either:

(A) A written appraisal provided by a California licensed or other state licensed motor vehicle dealer or motor vehicle insurance representative; or

(B) Identification of the motor vehicle and its price variations based on information provided in a recognized industry motor vehicle valuation and pricing handbook, such as the Kelly Blue Book. The highest and lowest price variations shall be added together and then divided by two; the result is the average price of the vehicle. The average price shall be the fair market value.

(c) A motor vehicle owner applying for a California certificate of title without the required supporting evidence of ownership may submit a deposit equal to the monetary amount appraised in Section 152.00(b)(1)(A) or calculated in Section 152.00(b)(1)(B) in lieu of the bond as provided in Section 995.710 of the Code of Civil Procedure.

The deposit in lieu of a surety bond shall be executed on a Vehicle, Vessel or Off-Highway Vehicle Title Deposit Agreement and Assignment, form REG 5059 (NEW 10/2009), which is hereby incorporated by reference. The form shall meet the guidelines identified in the Code of Civil Procedure section 995.710. The form shall also identify the deposit method authorized by the Code of Civil Procedure section 995.710 that is chosen by the depositor.

Note: Authority cited: Section 1651, Vehicle Code. Reference: Sections 995.010 and 995.710, Code of Civil Procedure; and Sections 4157 and 4307, Vehicle Code.

Article 3.2 – Registration of Vessels

§ 190.03. Vessel Bond Requirements.

(a) A vessel owner applying for a California certificate of title without the required proof of ownership may submit a bond as authorized by Vehicle Code section 9923. The bond shall be executed by an admitted surety insurer on an Undocumented Vessel Surety Bond, form REG 5058 (REV. 10/2005), which is hereby incorporated by reference. The bond shall be subject to chapter 2 (commencing with Section 995.010), title 14, of part 2 of the Code of Civil Procedure.

(b) The penal sum of the bond shall be in the amount of the fair market value of the vessel.

(1) The fair market value shall be determined by either:

(A) A written appraisal provided by a California licensed or other state licensed yacht and shipbroker; or

(B) Identification of the vessel and its price variations based on information provided in a recognized industry vessel valuation and pricing handbook. The highest and lowest price variations shall be added together and then divided by two; the result is the average price of a vessel. The average price shall be the fair market value.

(c) A vessel owner applying for a California certificate of title without the required supporting evidence of ownership may submit a deposit equal to the monetary amount appraised in Section 190.03 (b)(1)(A) or calculated in Section 190.03(b)(1)(B) in lieu of the bond as provided in Section 995.710 of the Code of Civil Procedure. The deposit in lieu of a surety bond shall be executed on a Vehicle, Vessel or Off Highway Vehicle Title Deposit Agreement and Assignment, form REG 5059 (NEW 10/2009), which is hereby incorporated by reference. The form shall meet the guidelines identified in the Code of Civil Procedure section 995.710. The form shall also identify the deposit method authorized by the Code of Civil Procedure section 995.710 that is chosen by the depositor.

Note: Authority cited: Sections 1651 and 9852, Vehicle Code. Reference: Sections 995.010 and 995.710, Code of Civil Procedure; and Section 9923, Vehicle Code.